
From: Joseph Sussman [mailto:joseph@sussmanlaw.net]
Sent: Wednesday, June 30, 2010 5:38 PM
To: 'Andrey Strutinskiy'
Cc: 'Krishnan Chittur'
Subject: RE: Serin v. Northern Leasing; Subpoenas to Sussman

Andrey:

In our discussion yesterday, you agreed to give me until at least July 9th to provide you with the documents, so long as I provided you with a portion of the documents in the next few days. Consistent with that agreement, I then provided you with 192 pages of non-privileged documents yesterday and will continue to produce additional documents over the course of this and next week, while simultaneously asserting and maintaining our attorney client privilege with regard to privileged items. We do not accept your attempt to renege.

With respect to your position on the crime-fraud exception, it is precisely that. Your position. You do not get to unilaterally determine its application. That is for the court to decide.

Frankly, I find your position unseemly. I have consistently given you time when you need it. As I informed you, I am recovering from an awful cycling accident and would appreciate if you would return the courtesy.

Joe

From: Andrey Strutinskiy [mailto:astrutinskiy@chittur.com]
Sent: Wednesday, June 30, 2010 10:38 AM
To: Joseph Sussman
Cc: Krishnan Chittur
Subject: Re: Serin v. Northern Leasing; Subpoenas to Sussman

Dear Joseph:

We have received your documents, which are nothing more than court filings and a few pieces of communication with our firm. As I mentioned to you over the phone, no attorney-client privilege can be asserted in connection with these actions; they are covered by the crime-fraud exception. Therefore, please provide all communication - whether by email, fax, notes of phone calls, notes of meetings,

memos, or in any other form - with Northern Leasing or any of its personnel concerning each of the six litigations. If no such documents exist, please provide us with an affidavit to that effect.

We need to clear this issue first before we can agree to your request for any extension. We trust you will attend to this immediately.

--
Yours truly,
Andrey Strutinskiy, Esq.
Chittur & Associates, P.C.
Attorneys & Counselors at Law
286 Madison Avenue Suite 1100
New York, NY 10017
Tel: (212) 370-0447
E-mail: astrutinskiy@chittur.com

P.S. This email may contain confidential and/or privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply email and delete all copies of this message

On Tue, Jun 29, 2010 at 7:02 PM, Joseph Sussman <joseph@sussmanlaw.net> wrote:
Kris and Andrey:

Please find the attached letter and document production in 3 separate pdf files attached herewith.

Kindly confirm your receipt of this email and whether you encounter any difficulty in opening the pdf attachments.

JS

Joseph I. Sussman
Joseph I. Sussman, P.C.
Attorneys at Law
132 West 31st Street
15th Floor
New York, NY 10001
212-457-8586 (tel)
212-457-8587 (fax)
joseph@sussmanlaw.net

This electronic message transmission contains ATTORNEY PRIVILEGED AND CONFIDENTIAL information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please erase all

copies of the message and its attachments and notify sender immediately. Thank You.

IRS CIRCULAR 230 DISCLOSURE:

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This message is being sent from a Law Firm and may contain CONFIDENTIAL or PRIVILEGED information. If you are not the intended recipient, do not printout, copy or distribute this message or any attachments. Advise the sender immediately by reply e-mail, and delete this message and attachments without retaining a copy.